

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

ENTERTAINMENT SOFTWARE)
ASSOCIATION; VIDEO SOFTWARE)
DEALERS ASSOCIATION; and)
MICHIGAN RETAILERS)
ASSOCIATION,)

Plaintiffs,)

vs.)

JENNIFER M. GRANHOLM, in her)
official capacity as Governor of the State of)
Michigan; MICHAEL A. COX, in his)
official capacity as Attorney General of the)
State of Michigan; and KYM L. WORTHY)
in her official capacity as Wayne County)
Prosecuting Attorney,)

Defendants.)

DECLARATION OF GENEVIEVE WALDMAN

Pursuant to 28 U.S.C. § 1746, I, Genevieve Waldman, under penalty of perjury state as follows:

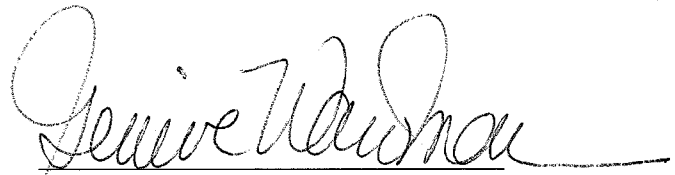
1. I am currently employed as Global Group PR Manager at Microsoft Corporation (“Microsoft”). I have held this position since October 2002. As a result of my duties as Global Group PR Manager, I have personal knowledge of the facts stated in this declaration.

2. Microsoft is a publisher, developer and distributor of computer software, including interactive entertainment software. Microsoft publishes video games for play on personal computers, and for play on Microsoft’s Xbox game console. Microsoft is a publicly traded company listed on the NASDAQ stock market. Microsoft is headquartered in Redmond, Washington.

3. One of the video games that Microsoft publishes is entitled "*Jade Empire*." A true and accurate copy of the Xbox version of the game, in its entirety and final form, is attached as Exhibit A to this Declaration. A videotape of *Jade Empire* being played is attached as Exhibit B to this Declaration. I certify that Exhibit B is a true, accurate, and representative sample of *Jade Empire*.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on September 15, 2005.


Genevieve Waldman

**Exhibits A (video game “Jade Empire”) & B
(videotape of “Jade Empire”) to the
Declaration of Genevieve Waldman are enclosed
in a separately filed envelope.**